

REMARKS

Applicants acknowledge receipt of an Office Action dated April 4, 2007. In this response, Applicants have cancelled claims 1 and 2 without prejudice or disclaimer in order to permit allowable subject matter to issue without further delay. In addition, Applicants have rewritten claim 5 in independent form, incorporating the features of claims 1 and 2 from which it previously dependent, and Applicants have amended claims 3, 4, 8, and 9 so that they now depend from claim 5. Following entry of these amendments, claims 3-11 are pending in the application.

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Objection to the Drawings

On page 2 of the Office Action, the PTO has objected to the drawings. Applicants request that the PTO review the following passage from pages 6 and 7 of the specification along with figures 2 and 2a.

Fig. 2 shows a side view of the radiator 1 from the left with a condenser 11, of which substantially only the collector 14 can be seen, connected in front in the airflow direction. The holding pin 9 is arranged, offset slightly to the right in the airflow direction, on the coolant tank 4. The collecting tank 14 bears against the coolant tank 4 in an approximately parallel manner and is fixed in the Y-direction (perpendicular to the drawing plane) by means of a clip-shaped fin 15 integrally injection-molded on the coolant tank 4. A downwardly pointing hook 16 is integrally injection-molded at the upper end of the coolant tank 4, which hook 16 engages over the upper part 14a of the collector 14, fixes it in the X-direction and permits tolerance compensation in the Z-direction. In its lower region, the coolant tank 4 has an integrally injection-molded fin-shaped step 17 which is adjoined in the X-direction by a snap-action hook 18. The lower part 14b of the collector 14 rests on the step 17, is therefore fixed in the Z-direction and is held in the X-direction by means of the snap-action hook 18. A bending-resistant fin 19 for protecting the snap-action hook 18 from excessive bending is arranged below the snap-action hook 18. A block connection 20 having two connecting bores 20a, 20b can be seen below the fin 19, which block connection 20 is connected to the collecting tube which is arranged on that side of the condenser block which faces away from the collector 14. The block connection 20 is enclosed by a hook 21 which is integrally injection-molded onto the coolant tank 4 and fixes the condenser in the Z-direction.

Fig. 2a shows the side view from fig. 2 rotated slightly about a vertical axis (parallel to the Z-axis), that is to say in a 3-D illustration, identical reference signs being used for identical parts. The upper part of the condenser block 12 and the collector 14 can be seen, the upper part 14a of which collector 14 is engaged over by the hook 16. The lower part 14b of the collector 14 is secured in the forward direction by means of the snap-action hook 18 and is protected from excessive bending by means of the lower fin 19.

(Emphasis added).

In view of the cited passages from the specification and further in view of figures 2 and 2a, Applicants believe that the current drawings do show "the connection between the ends of the condenser tank and the integral hooks/snap hooks formed on the radiator tank" referenced in the PTO's objection. Reconsideration and withdrawal of the outstanding objection to the drawings in view of these passages from the specification and the current drawings is respectfully requested.

Rejection Under 35 U.S.C. §102

On page 3 of the Office Action, the PTO has rejected claims 1-3 and 8-11 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent 5,996,684 to Clifton (hereafter "Clifton"). In addition, and also on page 3 of the Office Action, the PTO has rejected claims 4 and 7 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent 6,158,500 to Heine *et al.* (hereafter "Heine").

While Applicants traverse these rejections, in the interest of permitting allowable subject matter to issue without further delay, Applicants have canceled claims 1 and 2 and have amended claims 3, 8, and 9 to depend from claim 5, which, as discussed above, is in *prima facie* allowable form. Claims 10 and 11 depend from claim 9. Thus claims 3 and 8-11 ultimately depend from claim 5, and the outstanding rejection of these claims is now believed to be moot.

CONCLUSION


Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 9/4/07
FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5540
Facsimile: (202) 672-5399

By 
Paul D. Strain
Registration No. 47,369
Attorney for Applicant